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HARYANA GOVERNMENT

ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

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HARYANA STATE

LITIGATION

POLICY

2025

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PREFACE

The object of the Haryana State Litigation Policy is to help the Government to evolve an efficient and responsible grievance redressal mechanism and is based on the recognition that it is the responsibility of the Government to protect the rights of citizens. The State Litigation Policy shall have a binding effect on all Government Departments/ State Public Sector Undertaking/ Statutory Bodies personnel who directly or indirectly are associated with litigation, to follow provisions of the Policy. The Policy shall have the force of an administrative regulation.

The State Litigation Policy provides for constitution of State Level, Department Level and District Level Empowered Committee with a prime objective to implement the policy and to regularly monitor, review and for quick disposal of the litigation arising out in the departments or state public sector undertaking or statutory bodies of the Government. The policy also stipulates that the Nodal Officers preferably with legal background and expertise shall be appointed by the Heads of Department at State, Department and District Level under the State Litigation Policy. The details regarding Control and Management of litigation by Nodal Officers and their role and responsibilities have been enumerated in the Litigation Policy. The Litigation Policy also provides the detailed guidelines regarding filing of appeals by the State Government.

Further, accountability is the touch-stone of this Policy. Accountability shall be at various levels; at the level of officers in charge of Litigation; those responsible for defending cases; all the concerned officers/officials of the Concerned Department, District and State involved for the proper procedure of the case.

1. Introduction:

The Haryana State Litigation Policy is framed to resolve and bring about a visible and enduring qualitative and quantitative improvement in the manner in which litigation is perceived, managed and conducted in the State. It embodies the national concern that pendency and delays in our learned Courts should be reduced proactively by the Government. The policy draws inspiration from the National Litigation Policy. A major part of its provisions applicable to the State have been incorporated mutatis mutandis.

2. Definitions: For the purpose of this Policy-

- (a) **“Head of Department”** means an authority defined under clause 38 of rule 8 of Haryana Civil Services (General) Rules, 2016.
- (b) **“Nodal Officer”** means an officer appointed by the Heads of Department at State, Department and District Level under the Haryana State Litigation Policy and shall play such role and have such responsibilities as per Annexure-I.

3. Nature and Applicability of the Policy:

- (a) It shall be mandatory and shall bind all stakeholders, personnel who directly or indirectly are associated with litigation, to follow provisions of the Policy.
- (b) The Policy shall serve as the main authoritative reference point for all questions of procedure, norm and interpretation.
- (c) The Policy shall have the force of an administrative regulation to be notified in the Official Gazette.
- (d) The Law Department Manual, a dynamic and continually updated repository of guidelines, instructions, clarifications, and information, shall remain a definitive guide for matters related to litigation, providing a framework for informed decision-making and standardized procedures.

4. Stakeholders and Institutional Framework / implementation of the policy:-**The Stake holders:**

- (i) Chief Secretary Office, Haryana;
- (ii) Advocate General, Haryana;
- (iii) Law and Legislative Department;
- (iv) Home Department;
- (v) Government/State Public Sector Undertaking/Statutory Bodies;
- (vi) Heads of Departments, Boards, Corporations;
- (vii) Law Officers, Government Counsels and individual officers all connected with the concerned litigation;
- (viii) Department of Prosecution

The Institutional Framework / implementation of the policy

It is proposed to implement the policy through a three tier system:-

- (i) State Level Empowered Committee (SLEC).
- (ii) Department Level Empowered Committee (DLEC).
- (iii) District level Empowered Committee (DTLEC).

(I) STATE LEVEL EMPOWERED COMMITTEE (SLEC) (FIRST TIER COMMITTEE)

It shall be constituted under the Chairmanship of the Chief Secretary to Government and shall comprise of the following members:

- (a) Advocate General or any representative from Advocate General Office.
- (b) Administrative Secretary of the Department concerned.
- (c) Administrative Secretary of the Home Department.
- (d) Administrative Secretary of the Finance Department.

- (e) Administrative Secretary and Legal Remembrance to Government Haryana, Law and Legislative Department.
- (f) Director General of Police (as and where required).
- (g) Director Prosecution.
- (h) Secretary, Home as State Nodal Officer-cum-Member Convener.
- (i) Any other Officer/Expert as per the invitation of the Committee.

Aims and Functions:-

- (a) The State Level Empowered Committee shall strive to streamline the litigation and attempt to minimize litigation by identifying the major causes of litigation and shall recommend measures to the State Government to minimize the same and suggest introduction of changes in procedures relating to decisions involving core policy. It shall monitor all the stages of the litigation process and the reports submitted by the Department Level Empowered Committee and District Level Empowered Committee. The committee shall meet quarterly.
- (b) In case, a fine, a cost or any type of financial penalty is imposed by the Court on the Stakeholders on account of any omission, such amount shall be recoverable from the official concerned, if found responsible, after fixation of the responsibility following due disciplinary procedure. An entry shall also be made in the ACR of the officials concerned to this effect.
- (c) In cases, where judgment given by a High Court or Supreme Court have attained finality, the State Level Empowered Committee shall take a decision to get it implemented across all the departments/boards and corporations/public sector undertakings and other Government undertakings, (as and where applicable) in similar cases covered by the said judgment.
- (d) The State Level Empowered Committee shall also look into cases where benefits have erroneously/unduly been extended to an individual employee/class of employees consequent upon some court order where appeal should have been filed, and shall accordingly recommend remedial measure.
- (e) The State Level Empowered Committee may review the decision taken by the committee constituted by the State Government in compliance of the judgment passed by Supreme Court¹ where prosecution/ investigation has failed to secure convictions and shall recommend suitable measures to make improvements, especially procedural reforms.
- (f) The State Level Empowered Committee shall quarterly review the status of civil litigation of entire state in the prescribed proforma submitted by State Level Empowered Committee and District Level Empowered Committee. The State Level Empowered Committee shall review monthly status report submitted by Department Level Empowered Committee and District Level Empowered Committee in the prescribed proforma.
- (g) Recommendation of the State Level Empowered Committee after approval by the State Government shall be implemented strictly by the department concerned.

(II) DEPARTMENT LEVEL EMPOWERED COMMITTEE (SECOND TIER COMMITTEE)

It shall be headed by the Administrative Secretary of the Department, and shall comprise of the following members:

- (a) Head of the Department
- (b) Representative of the Advocate General
- (c) Representative of the Finance Department not below the rank of Joint Secretary
- (d) Representative of Legal Remembrancer and Administrative Secretary to Government Haryana, Law and Legislative Department, not below the rank of Additional Legal Remembrancer.
- (e) Department Nodal Officer-cum-Member Convener
- (f) Representative of Director, Prosecution.

¹State of Gujarat versus Krishna Bhai etc. (2014) 5 SCC 108

Aims and Functions

- (a) The Department shall take corrective steps, if required, for amendment of any policies, rules and procedure at their own level as per established procedure. It shall enforce accountability of Department officials/personnel/law officers/ lawyers and Nodal Officer concerned with the litigation process and for this purpose introduce a comprehensive reporting and data flow system. The committee shall meet once in two months.
- (b) In case fine, cost or any type of financial penalty is imposed by the Court on the Stakeholders on account of any omission, such amount shall be recoverable from the official concerned, if found responsible, after fixation of the responsibility following due disciplinary procedure. An entry will also be made in the ACR of the officials concerned to this effect.
- (c) The Department Level Empowered Committee shall identify issues to be placed for State Level Empowered Committee for intervention, and appropriate decisions in prescribed format.

The Department Level Empowered Committee shall submit comprehensive monthly status report of pending cases and action taken thereon to the State Level Empowered Committee which shall regularly monitor and review a pending litigation within the department.

(III) DISTRICT LEVEL EMPOWERED COMMITTEE (THIRD TIER COMMITTEE)

It shall be headed by the Deputy Commissioner/District Magistrate of the District and shall comprise of the following members.

- (a) Superintendent of Police (as and when required)
- (b) District Level Head of Office
- (c) District Attorney
- (d) District Attorney/ Deputy District Attorney/ Assistant District Attorneys of the concerned Department
- (e) District Nodal Officer-cum-Member Convener

Aims and Functions:

- (a) To monitor and review all cases in the same way as at the State Level. In matters not in its jurisdiction or requiring directions at Departmental Head Quarter level or matters requiring policy clarifications, the committee shall make a reference to the Department Level Empowered Committee. The meeting of Committee shall be held once in a month.
- (b) District Level Empowered Committee shall sent monthly report to Department Level Empowered Committee of all cases and referred, settled, and found fit to be referred to the Lok Adalat in a prescribed format.

5. Prevention and Control of Avoidable Litigation:**(A) Independent examination of litigation risks of new initiatives:**

When drafting new statutes, rules, or policies or making significant changes to existing ones, a standalone examination for accessing litigation potential may be done to minimize unexpected/unwarranted litigation and ensure efficient litigation management at the outset. Such examination should address the following:

- (a) **Litigation Landscape:** Overview of applicable statutes, subordinate legislations, relevant case laws, and precedents.
- (b) **Litigation Risk Assessment:**
 - (i) Evaluation of litigation risk levels (high, medium, or low).
 - (ii) Assessment of the likelihood of adverse rulings.
 - (iii) Estimation of potential litigation costs, wherever feasible.

(c) Litigation Mitigation Plan:

- (i) Implementation of safeguards to reduce litigation exposure, including amendments to contracts, policies, statutes, and subordinate legislations.
- (ii) Development of a resolution timeline to effectively address disputes before they escalate into full-fledged litigation.

(B) Setting up of Grievance Redressal System:

A major cause of litigation is arbitrariness in decision making, and lack of proper response to representations made by employees and parties. In service matters, most of the cases relate to relief not being given as per rules, instructions and policy decisions. In other cases there may exist more than one policy. In majority of such cases coming to the Courts, the Courts give directions to pass speaking orders in a time-bound manner. Before the matter reaches the Court, the affected party generally spends a lot of time and effort to redress its grievances through the normal administrative channel. In view of this all Departments shall set up effective grievance redressal Committees which would pre-empt a lot of unnecessary litigation.

- (a) It shall be mandatory for employees to seek redressal through this system, first, before going to the Courts.
- (b) A time limit of eight weeks may be fixed to decide a representation /grievances.
- (c) A Two-tier structure shall be set up. In the first tier each department shall have a grievance cell at the State Level. The second tier shall be at the district level. All cases and issues, at the request of the aggrieved party, shall be reviewed to redress genuine grievances.
- (d) The department level grievance cell / committee shall be headed by the Head of Department, and shall meet on a monthly basis to review the efficacy of the grievance redressal system in the Department at the headquarters and field level. In case it is found that certain instructions/ rules need to be reviewed by the General Administration Department or Finance Department, it shall refer the matter to the State Level Empowered Committee constituted herein under this policy, so that decision on the same can be expedited. As the disciplinary, seniority and ACP matters are a major source of litigation, these shall be resolved by all departments expeditiously and seniority lists updated and printed/ published regularly after following due procedure.
- (e) To facilitate efficient grievances redressal system, a dedicated software platform should be developed in consultation with NIC which shall enable the employees to submit grievances online, ensuring transparency and accountability. It shall also allow the employee to track its grievance status and set prescribe time frame for addressing the grievances.
- (f) The constitution of two tier structure shall be as follow:-

Head office level Grievances Redressal Committee (Tier 1)	District level Grievances Redressal Committee (Tier 2)
<ol style="list-style-type: none"> 1. Head of the Department 2. Two Class-I officer (atleast one should be SAS cadre officer) 3. Law Officer posted in the head office 	<ol style="list-style-type: none"> 1. Additional Deputy Commissioner or District and Sessions Judge/Additional District and Sessions Judge (Retd.) 2. Chief Accounts Officer/Sr. Accounts Officer/Accounts Officer posted in the District as nominated by Deputy Commissioner 3. District Attorney/Deputy District Attorney/Assistant District Attorney posted in the District as nominated by Deputy Commissioner

- (g) The aforementioned Grievances Redressal Committee shall be notified by the Head of the Department and the Deputy Commissioner concerned within 14 (fourteen) days of the issuance of this policy. The Committee at Head office level shall be assisted by the Additional Director/Joint Director concerned and that of District Level Committee shall be assisted by the Head of the office at district level of the concerned department.

- (h) **Procedure of Employee Grievance Redressal Committee:**
- (i) The Committee should commence the redressal proceedings within seven days from the receipt of grievance/ representation.
 - (ii) The Committee shall fix a date for hearing to allowing the employee to appear personally before the committee and submit his submissions.
 - (iii) The Committee shall consider the submissions (oral and written) and provide its recommendation to next higher authority within thirty days of hearing.
 - (iv) The committee shall consider the principles laid down in clause (D) and (E) of para 5 of this policy while deciding the grievance of an employee.
 - (v) Head Office Level Grievance Committee recommendation shall be decided by concerned Administrative Secretary.
 - (vi) District Level Grievance Committee recommendations shall be decided by Head of Department or Administrative Secretary as the case may be.
 - (vii) The next higher authority shall decide on the recommendations within one (1) month from the receipt of the recommendations.
- (C) **Settlement of Dispute through Lok Adalats:**
- (a) All pending disputes/cases shall be reviewed by the Department and District Level Empowered Committee with a view to settle them before the Lok Adalats Special Camps, in consultation with the Legal Aid Cell of the Hon'ble High Court or the State/ District Legal Services Authority, as the case may be. This exercise shall be carried out periodically, preferably every three months. Further, the State Level Empowered Committee may recommend to the Government for organizing special Lok Adalats from time to time in consultation with the High court for disposal of ongoing/pending cases.
 - (b) Every department shall authorize some officers to take final decisions so that minor disputes pending in different courts can be settled through Lok Adalats with active participation of such officers. Moreover, not attending of Lok Adalats by an officer deputed to do so, shall invite initiation of prompt disciplinary action.
 - (c) State Level Empowered Committee shall look into the ways and means of maximizing case/dispute disposal through Fast Track Courts, Gram Nyayalayas, Evening Courts, Family Courts etc.
- (D) **Settlement of Dispute through Arbitration:**
- (a) The Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996) provides a comprehensive mechanism for settlement of disputes. Wherever feasible the Departments shall provide for setting of disputes relating to work contracts and commercial contracts etc.
 - (b) Departmental Nodal Officer shall monitor the status of pending arbitration cases and apprise the Administrative Secretary Head of Department of the cases in which the progress is slow.
 - (c) The Department of Administration of Justice shall constitute a diverse Panel of Arbitrators in consultation with the Chief Secretary. The eligibility of each panel member shall be ensured particularly with respect to section 12² of Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996). Further, upon appointment, each arbitrator shall submit a written declaration disclosing any circumstances that may potentially compromise their eligibility, as stipulated under section 12 of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996).
- (E) **Grant of admitted relief:**
- (a) The necessary admissible relief including admissible liability in cases of due payments, admissible retiral benefits, admissible ex-gratia benefits, medical reimbursement, admissible monitory compensation under State run schemes and any other admissible relief shall be granted to the parties without forcing them to take legal remedies.

²Arbitration and Conciliation Act, 1996

- (b) Such relief, if not granted on its own, shall be granted within a period of three months from the receipt of any representation legal notice received in this behalf.
 - (c) Failure to adhere to this provision would invite punitive Departmental action unless there was a sufficient and unavoidable cause for the delay.
- (F) **Cases similar to already decided cases.**
- (a) In the cases similar to already settled cases by the Hon'ble Court³ the concerned department shall take immediate steps to ensure that all such representations/claims of employees under your control are decided by the Competent Authority within the stipulated period by passing a speaking order giving cogent reasons, in support to its decisions.
 - (b) All the departments should be encouraged to consider the notice under section 80 of Civil Procedure Code, 1908 (Central Act 5 of 1908) and settle the claim forwarded by prospective plaintiff if it appears to be just and proper. The department should objectively consider the just claims and settle them if well founded. This would save the public exchequer from wasteful expenditure on unnecessary litigation.
 - (c) Any officer/official found responsible for precipitating unnecessary litigation on behalf of the State shall face disciplinary action as deemed appropriate.

(G) **Analysis of root causes in significant cases:**

The outcome of litigation in significant cases calls for root-cause analysis for guidance and determining the way forward. The issues identified/lesson learnt etc., from such exercise may be presented to the concerned Administrative Secretary and circulated amongst the concerned officers. A template for root cause analysis is annexed (**Annexure-II**). Technology, data analytics, and artificial intelligence needs to be harnessed for the above purpose wherever feasible.

6. Government Representation:

- 6.1 Government Panels shall be constituted which shall comprising of cross section of lawyers of proven competence and integrity.
- 6.2 Incomplete brief are frequently given to Government counsel this must be discontinued discouraged. It is the responsibility of the official incharge of the department's agency concerned, to ensure that proper records are kept of cases filed and that copies retained by the Department are complete and tally with what has been filed in court.
- 6.3 Law officers shall ensure that the state is properly represented and there is no procedural lapse regarding submission of process fee and issuance of nonce. They shall also ensure thorough and in depth examination of all cases.
- 6.4 A time period of **fifteen days is fixed** for the law officers to tender their legal opinion and seven days in urgent matters to the department.

7. Adjournments:

All efforts shall be made not to seek adjournments except in exceptional and unavoidable circumstances. Cases in which costs are awarded against the Government as a condition of grant of adjournment shall be viewed very seriously.

8. Pleadings and Counters:

- 8.1 Efforts shall be made for drafting the pleadings comprehensively including all facts, legal points, and documents, and shall be drafted as per the law. For fulfilling this purpose, proper training shall be conducted imparted regularly.
- 8.2 Special formats for Civil Appeals, Special Leave Petitions and Counter Affidavits shall be formulated and circulated by way of guidance and instructions. This shall include not only contents but also the format, design, font size, quality of paper, printing binding and presentation. It is the joint responsibility of the Drafting Counsel and the Advocate on Record to ensure compliance.

³Government instruction no. 62/26/2022-GGS-I dated 02.05.2002.

- 8.3 Counter Affidavits in important cases shall not be filed unless the same are shown to and vetted by the Law Officers. This should, however, not delay the filing of counters.
- 8.4 The replies written statements to be filed in the High Court should be approved on file by the concerned Head of Departments. Similarly, replies to be filed in the District Courts are to be approved on file by concerned District head. Replies written statements should be filed within the limitation period of three months.
- 8.5 The State Government shall also ensure accountability of law officers, legal advisors with reference to the drafting of reply, vetting and professional assistance to the courts.

9. Principles governing filing of Appeals:

- (a) After the disposal of/final order/judgment is passed in cases then the Office of Advocate General, Haryana/Legal Remembrancer, Law and Legislative Department/Director Prosecution, Haryana shall send opinion regarding filing of appeal to the concerned department within the period of limitation.
- (b) Departmental Nodal Officer shall communicate regarding sanction to proceed further to the concerned official of department. The official of department shall in consultation with departmental law officer takes steps to get the appeal drafted, vetted and filed in time.
- (c) Failure to adhere to this shall invite punitive departmental action unless there was a sufficient and unavoidable cause for delay.
- (d) Since all orders of Supreme Court and other courts are uploaded on the website within 48 hours departments shall start necessary steps involving the process of filing appeals.
- (e) Appeals in Revenue matters shall ordinarily not be filed;
 - (i) If the financial implication of the matter is less than Rupees two lakh unless it involves a substantial question of law or policy;
 - (ii) If the matter is covered by judgments of the High Courts which have attained the finality and the present case cannot be distinguished from the facts of those cases.
- (f) Appeals shall ordinarily not be filed in the Supreme Court unless:
 - (i) The High Court has struck down a statutory provision/Government policy.
 - (ii) The case involves a substantial question of law, involving the interpretation of a statute or under the Constitution of India;
 - (iii) The findings of fact involved are so perverse that no reasonable judicial mind could have arrived at such conclusions;
 - (iv) Public finances are adversely affected;
 - (v) There is substantial interference with public justice;
 - (vi) The Court or forum concerned has exceeded its jurisdiction;
 - (vii) The interpretation of the High Court is plainly erroneous.
 - (viii) The judgment shall set a precedent which is contrary to Government policy/rules/statutes.
- (g) Inter-se litigation between different Departments/ Public Sector Undertakings/ Local Government or Cooperative institutions of the State shall be resolved within the purview of the guidelines issued by Government from time to time.

10. Limitation: Delayed Appeals:

- (a) Each Head of Department shall be required to call for details of cases filed on behalf of the Department and to maintain a record of cases which have been dismissed on the ground of delay.
- (b) Applications for condonation of delay are often drafted in routine terms without application of mind. This practice must immediately stop. It is the responsibility of the drafting counsel to carefully draft an application for condonation of delay, identifying the areas of delay and identifying the causes with particularity. Drafting Advocates who fail to adhere to this may be suspended/ removed from the Panel.

- (c) Belated appeals filed beyond the period of limitation cannot be approached merely from the point of view that courts have different approaches towards condonation of delay. The tendency on the part of Government counsels to expect leniency towards Government for condonation of delay must be discouraged. The question of limitation and delay must be approached on the premise that every court shall be strict with regard to condonation of delay and accordingly ground work and preparation shall be ensured.

11. Classification of Cases:

The legal cell in each Department should classify cases into three categories: (i) highly sensitive, (ii) sensitive, and (iii) regular. Cases classified as highly sensitive or sensitive-such as those involving national security, internal security, law-and-order concerns, policy or statutory implications, or those with significant financial stakes. Such cases should be reviewed by the concerned Administrative Secretary to determine the appropriate course of action.

12. Review of Pending Court Cases:

All pending cases involving Government shall be reviewed by State Level Empowered Committee. The Department Level Empowered Committee and District Level Empowered Committee shall submit statistics of all pending matters in format as prescribed by State Level Empowered Committee.

13. Litigation at Apex Level:

While the Advocate General shall be responsible for defence of cases in the High Court, he shall also be responsible for defence of cases at National level. The litigation at the national level shall be directly under the control and monitoring of the Advocate General, the Legal Cell at Delhi, looking after the litigation in the Supreme Court and other statutory authorities, shall function under the guidance and administrative control of the Advocate General. The assignment of cases in the Supreme Court/other Authorities to Standing Counsels shall be done by the Advocate General in consultation with Secretary of the concerned Department. In important cases, where senior private counsels have to be engaged, the terms and conditions of engagements shall be as settled by the Advocate General's office.

14. Litigation at District Level:

- 14.1 Judgments in criminal cases, along with comments/recommendations of the District Attorney shall be submitted to the District Magistrate through Superintendent of Police, for decision on filing of appeal.⁴
- 14.2 The file shall include copy of judgment, statement of witnesses and police file.
- 14.3 It shall help to understand the flaws in investigation and take remedial measures.
- 14.4 District Magistrate shall be competent to issue directions/grant approval for filing revision against any order of Illaqa Magistrate of Trial Court.
- 14.5 In criminal cases where the accused has been acquitted, the District Magistrate shall review such cases after seeking comments of the Superintendent of Police and the District Attorney.
- 14.6 For the cases resulting in acquittal, it shall be reviewed that whether the acquittal was due to failure on the part of Investigation Agency or due to non-examination of witnesses. The responsibility of Investigation Agency or the prosecution shall be fixed accordingly.
- 14.7 Appointment of Nodal Agency at District and State Level to monitor the availability of official witnesses⁵.
- 14.8 Duty of the District Attorney to collect list of official witnesses to be examined in the forthcoming month in different cases.
- 14.9 The non-availability of witness should be intimated in advance to the District Judge.
- 14.10 Ensuring that witnesses appear in court either in person or available for recording evidence by way of video conferencing.
- 14.11 Police prosecution shall be given to the official witness(es) who has apprehension of threat to their life till the pendency of the matter in court.

⁴State of Gujarat vs. Krishan Bhai (2014) 5 SCC 108.

⁵Government Gazette notification no. 12/264/2019-4HG-IV dated 20.02.2020.

14.12 Regarding procedure of application for witness protection, types of protection measures and other incidental matters should be referred as per the provisions provided under the Haryana Witness Protection Scheme, 2025⁶.

14.13 Ensuring of service of summons through electronic modes of communication⁷.

15. Challenge to orders of Administrative Tribunals or a High Court:

Whenever an order of the Administrative Tribunal or a High Court is not in consonance with the policy instructions or guidelines issued by Government and the concerned department needs to challenge, the same can be done either by filing a Review Petition in the same court or an appeal before the higher court at earliest.

16. Co-ordination with Courts:

State Level Empowered Committee shall regularly interact with the Hon'ble High Court and strive to bring systemic changes so as to improve the disposal of cases.

17. Specialized Litigation:

17.1 Public Interest Litigation (PIL):

Where the State Government receive notices regarding Public Interest Litigation, the Government before filing the written statement/response (if it is required to do so) shall ensure immediate steps to do the needful as per the averments in the writ petition. The Government shall ensure prompt remedial measures and thereafter status report may be filed along with the response on the first date of hearing. This shall save the time of the Government as well as of the Hon'ble Courts.

17.2 Contempt Cases:

On receiving the information regarding contempt case or contempt petition, Department/officer concerned, instead of pointing out technical objection, shall prepare comments on the merit of the case, status of compliance and whether the order has been challenged in any appeal or revision or the same has been set aside by any other higher court or as to why compliance has not been made. Steps shall be taken to ensure that the department's request for stay in cases where there are practical difficulties in implementing the orders.

18. IT based decision support and monitoring:

18.1 System for Litigation Management:

Litigation Policy shall be strongly supported by IT software application. Usage of IT shall insure better monitoring and strict implementation of Litigation Management System in following ways:-

- (a) Directions regarding Litigation Management System to be strictly followed by all the Departments/Boards/Corporations/Autonomous Bodies/Other State Instrumentalities in the State of Haryana in compliance of directions issued by the Hon'ble Punjab and Haryana High Court⁸.
- (b) In case of transfer/retirement of Nodal Officer or as the case may be establishment of concerned department shall ensure that the user ID and password is deactivated immediately before relinquishment of charge by such transferee/retiree. New and Fresh user ID and password shall be issued to the new Nodal Officer under intimation to State Nodal Officer/Advocate General's Office.

18.2 Access to Legal Resources:

18.2.1 There is need to facilitate online and offline access to case laws and relevant Acts, Book etc. to help the departments and their counsels in preparing their cases. For this purpose, online access to computerized data bases shall be provided through suitable arrangement/service provider. Further, efforts shall be made to maintain a database of the decided cases by property cataloguing the same which shall be an effective instrument for reference while deciding the case by the competent authority and for making reference while defending the cases before the courts.

⁶Mahendra Chawla vs Union of India, 2016 and Haryana Witness Protection Scheme, 2025.

⁷Government Gazette notification no. 12/264/2019-4HG-IV dated 14.02.2025 and Section 64 (1)& (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023

⁸COCP No. 1751/2016 Ramesh & Ors V. Shri Raghuvendra Rao & COCP No. 3274/2016 Damanjit Kaur V Smt Keshni Anand Arora & Anr

18.2.2 Attempt shall be made to make available all the landmark judgments, especially concerning the Government, on State website/Act wise and to make accessible all acts, rules, notifications and judgments on the State Level web site. Further, efforts shall be made for sharing of judgments/orders passed by the Supreme Court/ High Court relating to different departments so that while taking a decision in any matter they are kept in view. This may be done by uploading the important judgments on the website of the departments or through e-mails regularly.

18.2.3 Opinions from the District Magistrate, Director Prosecution, Advocate General's office, Law and Legislative Department shall be tendered in e-office mode.

19. Training and Workshop:

- (a) Efforts shall be made to organize Training Programs, Seminars, Workshops, National and Regional Conferences and Refresher Courses for Government Advocates so that matters of mutual interest can be discussed and problems analyzed.
- (b) All the concerned Nodal officers and staff members (Assistant and Superintendent) shall be trained and made aware of their duties on annual basis as per the annual calendar prepared for training by Haryana Institute of Public Administration (HIPA)/ other training institutes.

20. Amendment to Policy

The State Litigation Policy shall be responsive to the changing requirements of the litigation system and its various constituents like Judiciary, Government and the Public. The Administrative of Justice Department on the recommendation of the State Level Empowered Committee shall consider reasonable suggestions/proposals for making policy more effective as may be received from stakeholders in the litigation system at various levels from time to time. The Committee may recommend modification in the Policy as and when necessary on its own to the Administration of Justice Department.

21. Clarification of Policy

In case of any doubt or difficulty in making out the true intention of provisions of this policy or any problem in the implementation of the policy, the Administrative Secretary to Government of Haryana in the department of Administration of Justice shall be competent authority to clarify such doubt or to remove such difficulty by issuing administrative order/advice to this effect and said order shall be treated as a part and parcel of this policy.

Annexure: I
NODAL OFFICER

Appointment of Nodal Officers:

- (i) Every department of the Government shall have one senior administrative officer with legal background and expertise who shall be designated as Nodal Officer under this policy. Nodal Officer shall be appointed at State Level and District Level.
- (ii) He shall be responsible for proactive management of court cases and constant monitoring of the proceedings of the court cases and ensure that there is no delay on the part of the department in the conduct of cases in different courts.
- (iii) The State Nodal Officer shall exclusively monitor and oversee all litigation of the Department, spanning lower courts, High Courts, and the Supreme Court. This centralized approach aims to ensure a uniform stand of the Department across all judicial forums, preventing disparate positions and promoting consistency and cohesion in litigation.
- (iv) He shall also be the Nodal Officer for grievance redressal under this policy for that department and shall have adequate staff and support system in discharging his duties.
- (v) He shall be assisted by Legal Officers (District Attorney/Deputy District Attorney/Assistant District Attorney) on deputation to the Department.

Role and Responsibilities of Nodal Officers:

- (i) To consider each and every petition/notice for demand of justice/representation and notice under section 80 of Civil Procedure Code (Central Act 5 of 1908) and ensure response/reply to the employee or person who served legal notice.
- (ii) All legal notices, petitions, letters from the office of Advocate General, Haryana regarding legal matters shall be sent to the concerned Nodal Officer, who shall be responsible for bringing it to the notice of concerned Administrative Secretaries/Head of Department for further necessary action to get sanction issued for defence of cases and filing of appeals, writ petitions, civil revisions, Regular Second Appeal, arbitration cases or any other case by and on behalf of the State Government and directly interact with the office of law and Legislative/Administrative Secretaries to avoid procedural delays.
- (iii) On receipt of orders from the Courts he shall ensure that all papers are sent to officers concerned for filing reply/implementation/processing the papers promptly.
- (iv) He shall indicate the time lines by which the action has to be taken and in case of inaction, he shall take up the matter with officers concerned/Head of the Department/ Administrative Secretary.
- (v) He shall carry out a fortnightly review of:-
 - a) Filing of reply/ short reply/ written statements/ status report/ affidavit.
 - b) Implementation of the court orders/directions.
 - c) Filing of LPA/SLP/RSA/FAO, RFA's & CR's .
 - d) Status of legal notice/contempt notice/representations.
- (vi) To monitor the progress of litigation particularly to identify the cases in which repeated adjournments are being taken and to apprise their Head of Department about the repeated and unjustified adjournments.
- (vii) To ensure that all relevant data regarding pendency of cases against the Department have been entered in the Litigation Management System on daily base.
- (viii) To submit report in cases to the Head of Department/Head of office explaining the reasons for delay and identify the persons/causes in the cases in which department could not file appeals within the period of limitation.
- (ix) Nodal Officer may suggest to the HoD for formation of departmental committee for review/ analysis of litigation/legal notice/representation.
- (x) The Nodal officer shall ensure that historical data is entered in Litigation Management System software after proper verification and authentication by the department in a time bound manner and for this end the Head of Department shall ensure that requisite support system and infrastructure shall be provided to the Nodal Officer of his Department. If possible the Government shall consider that Nodal Officer of the Department should be entrusted only with litigation Management System work and shall be absolved of other duties.
- (xi) Nodal Officer shall be a Reporting Officer to all the Law Officers, Government Counsels and individual officers who are connected with the concerned litigation in the department.

Annexure: II**Template of Root Cause analysis or an Important Court Judgement**

Sr. No.	Item	Description
1.	Gathering Information	Obtain: <ul style="list-style-type: none"> (a) Full text of court order, related case documents including transcripts, evidence submitted and testimonies. (b) Internal documentation related to case such as records, communications, policies and procedure.
2.	Identification of rationale/legal grounds of court order	<ul style="list-style-type: none"> (a) Specific legal grounds highlighted by Court for example violation of regulatory standard, contractual obligations or breaches of law as such. (b) Identification of critical points made by the judge that influenced his judgements.
3.	Timeline Construction	<ul style="list-style-type: none"> (a) Construct timeline of events from initial cause of action to final decision. (b) Map on this time line adverse situations such as delays, lapses, oversight etc. which have led to the outcome.
4.	Analysis of contributory factors	Contributory factor analysis stands for analysis of following factors:- <ul style="list-style-type: none"> (a) Gaps in policies or standard operating procedures or anomalies in Statutory provisions and subordinate legislations or likes, inconsistencies in policies etc. (b) Unintentional violations mainly on account of poor training or awareness of the concerned staff. (c) Inadequate oversight or poor decision making if any. (d) Communication gaps internal or external. (e) Any external factors such as legal or regulatory changes which has caught the organization unawares etc. (f) Internal control measures which might have been missing, inadequate or poorly implemented.
5.	Development of action plan and its timeline	<ul style="list-style-type: none"> (a) Preparation of a list of actionable items on the basis of lesson learnt. (b) Identification of responsible entities for execution (c) Provision of timeline for the same.

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